

117TH CONGRESS
1ST SESSION

H. R. 4067

IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 2021

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To direct the Federal Communications Commission to establish a council to make recommendations on ways to increase the security, reliability, and interoperability of communications networks, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Communications Secu-
3 rity, Reliability, and Interoperability Council Act”.

4 **SEC. 2. COUNCIL ON COMMUNICATIONS SECURITY, RELI-**
5 **ABILITY, AND INTEROPERABILITY.**

6 (a) **ESTABLISHMENT.**—Not later than 90 days after
7 the date of the enactment of this Act, the Commission
8 shall establish a council, to advise the Commission on
9 issues including the security, reliability, and interoper-
10 ability of communications networks.

11 (b) **MEMBERSHIP.**—

12 (1) **APPOINTMENT.**—The members of the coun-
13 cil shall be appointed by the Chair.

14 (2) **COMPOSITION.**—To the extent practicable,
15 the membership of the council shall be composed of
16 the following:

17 (A) Representatives of companies in the
18 communications industry, except companies
19 that are determined by the Chair to be not
20 trusted.

21 (B) Representatives of public interest orga-
22 nizations or academic institutions, except public
23 interest organizations or academic institutions
24 that are determined by the Chair to be not
25 trusted.

1 (C) Representatives of the Federal Govern-
2 ment, State governments, local governments, or
3 Tribal Governments, with at least one member
4 representing each such type of government.

5 (3) KNOWLEDGE AND EXPERIENCE.—Each
6 member of the council shall have knowledge and ex-
7 perience relevant to the purpose and goals of the
8 council.

9 (4) TERMS.—

10 (A) IN GENERAL.—Each member of the
11 council shall be appointed for a term of 2 years,
12 except as provided in subparagraph (B).

13 (B) VACANCIES.—Any member appointed
14 to fill a vacancy occurring before the expiration
15 of the term for which the member's predecessor
16 was appointed shall be appointed only for the
17 remainder of that term. A member may serve
18 after the expiration of that member's term until
19 a successor has taken office.

20 (c) REPORTS.—

21 (1) IN GENERAL.—Not later than 2 years after
22 the date on which the council is established under
23 subsection (a), and every 2 years thereafter, the
24 council shall submit to the Chair each report adopt-
25 ed by the council during the preceding 2-year period,

1 and any report adopted by any working group of the
2 council during such period, including any such re-
3 port of the council or a working group containing
4 recommendations on ways to increase the security,
5 reliability, and interoperability of communications
6 networks, and on other relevant issues as appro-
7 priate.

8 (2) AVAILABILITY ON COMMISSION WEBSITE.—

9 The Commission shall make each report submitted
10 under paragraph (1) publicly available on the
11 website of the Commission.

12 (d) DURATION.—Section 14(a)(2)(B) of the Federal
13 Advisory Committee Act (5 U.S.C. App.; relating to the
14 termination of advisory committees) shall not apply to the
15 council.

16 (e) DEFINITIONS.—In this section:

17 (1) CHAIR.—The term “Chair” means the
18 Chair of the Commission.

19 (2) COMMISSION.—The term “Commission”
20 means the Federal Communications Commission.

21 (3) COUNCIL.—The term “council” means the
22 council established under subsection (a).

23 (4) NOT TRUSTED.—

24 (A) IN GENERAL.—The term “not trusted”
25 means, with respect to an entity, that—

1 (i) the Chair has made a public deter-
2 mination that such entity is owned by, con-
3 trolled by, or subject to the influence of a
4 foreign adversary; or

5 (ii) the Chair otherwise determines
6 that such entity poses a threat to the na-
7 tional security of the United States.

8 (B) CRITERIA FOR DETERMINATION.—In
9 making a determination under subparagraph
10 (A)(ii), the Chair shall use the criteria de-
11 scribed in paragraphs (1) through (4) of section
12 2(c) of the Secure and Trusted Communica-
13 tions Networks Act of 2019 (47 U.S.C.
14 1601(c)), as appropriate.

15 (5) STATE.—The term “State” has the mean-
16 ing given such term in section 3 of the Communica-
17 tions Act of 1934 (47 U.S.C. 153).

Passed the House of Representatives October 20,
2021.

Attest: CHERYL L. JOHNSON,
Clerk.